

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LABORERS' PENSION TRUST FUND-DETROIT  
AND VICINITY, *et al*, trust funds established under,  
and administered pursuant to, federal law,

Civil Action No. 01-CV-73218 DT

Plaintiffs,

v

Hon. Patrick J. Duggan

PRO POUR CONCRETE CONSTRUCTION, INC.,

Defendant.

/

**ORDER FOR EXAMINATION OF JUDGMENT DEBTOR AND RESTRAINING  
TRANSFER OF CERTAIN PROPERTY SUPPLEMENTARY TO JUDGMENT**

**John S. Tonge**

This matter having come before the Court on Plaintiffs' Motion to Examine Judgment Debtors and to Restrain Transfer of Certain Property Supplementary to Judgment, said Motion having been duly filed along with a supporting Affidavit and Brief, and the Court having reviewed the same and being fully advised in the premises;

NOW, THEREFORE, upon motion of Erman, Teicher, Miller, Zucker & Freedman, P.C., attorneys for Plaintiffs;

IT IS ORDERED that **John S. Tonge**, whose business address is 1531 Whispering Oaks Dr., Brighton, Michigan 48116, appear at the offices of Erman, Teicher, Miller, Zucker & Freedman, P.C., 400 Galleria Officentre, Suite 444, Southfield, Michigan 48034, on **Wednesday, November 16, 2005 at 10:30 a.m.** to be examined under oath concerning the income, property, or other means of satisfying the Judgment entered herein against defendant on December 18, 2001.

IT IS FURTHER ORDERED that said person shall bring with him the following books, records and papers in his possession, custody or control:

1. All checkbooks, check registers, check stubs, canceled checks, bank statements and other documents whatsoever relating to any deposit, savings, passbook or like account maintained with a bank, savings and loan association, credit union or like organization, in which said defendants has, or has had, any interest, at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;
2. Copies of all returns, schedules and forms filed by, or on behalf of, defendant with the Internal Revenue Service, State of Michigan, and any municipal governments relating to any income received, property owned, business activities, sales or intangibles tax, of defendant at any and all times during the period of three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier.
3. All books of account and accounts receivables ledgers.
4. List of assets and liabilities.
5. All contracts of purchase, sale, bills of sale, certificates of title and deeds, and all other evidences of title or instruments of whatsoever kind or nature, relating to the purchase, sale or ownership of any property, real or personal, or any interest therein, purchased, sold or owned by, or on behalf of, defendant at any time during the five (5) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier.
6. Copies of all profit and loss statements and balance sheets relating to the affairs of

defendant prepared by, or on behalf of , defendant during the period of three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier.

IT IS FURTHER ORDERED that said person is restrained from transferring or disposing of any of his property, whether now owned or hereafter acquired, until further order of this Court. This order does not apply to property exempt by law from application to the satisfaction of the judgment.

DATED: September 20, 2005

S/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

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